IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 17118 of 2004

Between:

Jamaluddin Baig, s/o Ibrahim Baig,
r/o H.No.14-4-68, 3rd Line, Pothurivarithota, Guntur.

..... PETITIONER

AND

1 The Deputy Zonal Manager, A.P.I.I.C.Ltd.,
Augonagar, Guntur.
2 The Zonal Manager, A.P.I.I.C.Ltd.,
Industrial Estate, Vijayawada, Krishna District.
3 The Managing Director, A.P.I.I.C.LTD.,
6th Floor, Parisram Bhavan, Basheerbagh, Hyderabad.
4 M/s. Sri Datta Sai Air Production Centre, Prop: Sri Kothamasu Anjaneyulu S/o. Subbarao D.No. 13-2-94, 1st line, Gunturuvarithota, Guntur, Guntur District
R4 is impleaded as per the court order dt. 10-2-2005 in WPMP 29522 of 2004

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other writ order or direction in the nature of a writ, directing the respondents to receive the arrears of instalments and register plot no.111 admeasuring 801 sq.yards, situated in Phases 1 and 2 of Autonagar, Guntur in favour of the petitioner by revoking the cancellation if any.

Counsel for the Petitioner: MR.G.PEDDA BABU

Counsel for the Respondent Nos.1 to 3 : MR.E.MADAN MOHAN RAO

Counsel for the Respondent No.4: MR.P.R.PRASAD

The Court, at the stage of admission, made the following :

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ORAL ORDER:

This writ petition is filed seeking a direction to the respondents to receive the arrears of instalments and register Plot No.111 admeasuring 801 Sq. yards situated in phases 1 and 2 of Autonagar, Guntur.

This Court passed an interim direction on 23.9.2004 granting stay of allotment of plots to the 3rd parties if not already made. The 4th respondent who is brought on record, filed proceedings, dated 20.9.2004 of the 2nd respondent-Zonal Manager whereunder the disputed site has been allotted to the 3rd respondent and in pursuance thereof, an agreement of a registered sale deed was also executed and the possession of the same was delivered to the 3rd respondent. Therefore, there is no lis to be adjudicated.

In the result, the writ petition is disposed of leaving it open to the petitioner his defence and all the contentions raised by him in this writ petition. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

17th February, 2005.

bcj

To

1 The Deputy Zonal Manager, A.P.I.I.C.Ltd.,
Augonagar, Guntur.
2 The Zonal Manager, A.P.I.I.C.Ltd.,
Industrial Estate, Vijayawada, Krishna District.
3 The Managing Director, A.P.I.I.C.LTD.,
6th Floor, Parisram Bhavan, Basheerbagh, Hyderabad.
4 Two C.D. copies